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EXAMINER

BECKER, SHAWN M

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 08/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/522,416

Applicant(s)

HERZBERG ET AL.

Examiner

Shawn M Becker

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/3/01 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because of the following informalities. In Fig. 1A, “fild” should be changed to “find” next to the “IBM” container. Figs. 4B and 4C contain empty boxes. They should be given reference numerals or filled with a description of what they are. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Specification*

2. The disclosure is objected to because of the following informalities: On page 6, line 2 “organized” should be –organize--. On page 8, lines 14-16, one “a” should be dropped from “There is a further a”. On page 11, lines 22 and 28, “providing” and “displaying” should be –provide—and –display--, respectively. On page 12, line 28, “bookmark” should be –bookmarks--. On page 13, line 12, the ending parenthesis “)” has no beginning parenthesis –(-- associated with it. On page 14, line 18, “on” should be –one--. On page 20, line 5, “Fig. 1” should be -- Figs. 1A-1B--. Page 27, lines 6-10, state “(59)” is “(L)” and “(59’)” is “(S)”, however, Fig. 5 shows “(59)” and “(59’)” as “(G)”. On page 28, line 1, “(61)” is not shown in Fig. 6A. It is only shown in the original Fig. 6.

Appropriate correction is required.

3. The use of the trademark Microsoft <sup>TM</sup> File Explorer has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks.

*Claim Rejections - 35 USC § 112*

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In step (d), claim 1 states that a condition is applied to at least one of the attributes of the container and at least one of the attributes of the object. The disclosure only supports the case where the condition is applied to all attributes of the container and object. See page 21, line 3 – page 22, line 7, where inheritance is discussed. It appears that in order for an object to be in a container, it must have all attributes associated with that container.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 1 recites the limitation "set" in line 5. There is insufficient antecedent basis for this limitation in the claim. It is unclear if the "set" referred to is the set of attributes or the set of containers. Also in claim 1, it should be clearer as to what is meant by "if a condition is met".

Art Unit: 2173

8. Claims 2, 7, 19, and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claim 2, it is unclear whether “an object” in lines 2-3 means a new object or --one of said objects--. It is also unclear if “one container” can be a new container or is --one of said containers--. The term “thereof” is vague and should be --of said container--.

Referring to claims 7 and 24, it is unclear how the tree is “like” Microsoft™ File Explorer. There should be a more descriptive explanation as to what “like” means, and it is suggested to use art related terms instead of a trademarked product.

Referring to claim 19. The term “vice versa” is indefinite. It is suggested to explicitly say --Local to Global--. Also, claim 19 is vague, because it says that updating one attribute can include adding an attribute. This requires a new attribute, and is not an update to the one attribute, rather a new addition to the set of attributes.

### ***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1, 3, 5-7, 10, 13-14, 28, and 30-31 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent No. 6,163,317 to de Judicibus.

Referring to claims 1, 28, 30, and 31, De Judicibus shows a method, system, computer program product and a program storage device embodying a program of instructions executable by the machine for managing objects for at least one user, comprising:

- (a) providing a set of attributes (col. 2, line 40 and col. 4, line 38);
- (b) providing a set of containers, each associated with attributes from the set of attributes (col. 2, line 45-49);
- (c) providing user interface for dynamically assigning attributes (col. 3, line 62) to the objects; see col. 4, lines 38-45, where de Judicibus describes how the attributes may be the object's name, and that the attributes may be changed or added (assigned);
- (d) selectively displaying, through a user interface, at least one container (see Figs. 4-6), displaying an object in the container if a condition is met; the condition is applied to at least one of the attributes of the container and at least one of the attributes of the object (col. 2, lines 58-59).

Referring to claim 3, de Judicibus shows each container is associated with at least one essential attribute (grouping logic, col. 4, lines 1-4). The condition includes a sub-condition that is met if the attributes of the objects contain the essential attributes (nested groups, col. 3, lines 63-66).

Referring to claim 5, de Judicibus shows a tree of containers (Fig. 5).

Referring to claim 6, in the method of de Judicibus, the object in the container is only displayed if it is not displayed in a sub-container thereof. The purpose of the invention is to reduce the number of objects displayed in a container. See col. 2, lines 23-26.

Referring to claim 7, the tree in de Judicibus is like that of Microsoft File Explorer. The containers are folder. See Fig. 5.

Referring to claim 10, the objects in the method of de Judicibus can be files (col. 4, lines 37-38).

Referring to claim 13, at least one of the objects (folders) in the method of de Judicibus contains object-related-data (object type), which is selectively displayed in the user interface. See col. 4, lines 17-22.

Referring to claim 14, de Judicibus explains that attributes can be added to and deleted from the set of attributes, and that attributes can be updated (changed). See col. 4, lines 42-45.

### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over de Judicibus and U.S. Patent No. 5,491,820 to Belove et al.

Referring to claim 2, de Judicibus teaches everything in claim 1 as mentioned above. He shows a mapping (a logical mapping) of objects to at least one container (group). See col. 3, lines 62-67. He does not teach that the object inherits the attributes of the container. However, Belove teaches an object-oriented database management system, where objects are mapped to and inherit attributes of hierarchically superior objects (containers). See col. 3, lines 35-45. It

Art Unit: 2173

would have been obvious to one of ordinary skill in the art to use the principles of object-oriented programming as supported by Belove in the grouping method of de Judicibus in order to quickly and dynamically assign attributes to objects.

Referring to claim 8, the modified method of de Judicibus according to Belove described above would inherently include drag-and-dropping the object to at least one of the containers in the mapping process. De Judicibus mentions that a new object may be moved into a group (container). See page 4, line 12. He also mentions the use of common operating systems, such as Microsoft © Windows, and it is well known in the art that Windows © (i.e. File Explorer) allows for drag-and-drop methods to map objects in a folder (container). It would have been obvious to one of ordinary skill in the art, with the teaching of de Judicibus and Belove before him, to include drag-and-dropping in the mapping process, as it is a standard way of manipulating objects in folders.

13. Claims 4, 9, 11, and 12, 15-27, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over de Judicibus and “Grassroots: A System Providing Uniform Framework for Communicating, Structuring, Sharing Information and Organizing People” by Kamiya et al.

Referring to claim 4, De Judicibus teaches everything in claim 1, as mentioned above. He does not teach adapting the method to share objects among community users. Kamiya teaches an object management system for sharing information that may be used to share objects (shared hotlists, page 1) among a community of users. Each user is associated with a respective set of attributes, and at least one attribute is common to at least two of the users (page 7, 1<sup>st</sup> paragraph). Modifying the method of de Judicibus to share objects in a community as taught by Kamiya teaches:



(a) providing a user replica (more than one user accessing the proxy) that includes objects that are assigned, each, with at least one attribute (de Judicibus @ col. 2, line 40 and col. 4, line 38 and Kamiya @ page 1, 1<sup>st</sup> paragraph);

(b) providing a set of containers associated, each with attributes from among the set of attributes (de Judicibus @ col. 2, line 45-49);

(c) providing a user interface for generating an update in the replica (see Kamiya @ page 14, section 4);

(d) submitting the update stipulated in step (c) to the replicas of selected users (see Kamiya @ page 6, section 2.3.1, where objects from one user can be transferred to other users);

(e) receiving at least one update from at least one user in the community and update the user replica with the received update (see Kamiya @ page 7, section 2.3.2 about inflow);

(f) selectively displaying, through a user interface, at least one container (see de Judicibus @ Figs. 4-6), displaying an object from the replica if a condition is met; the condition is applied to at least one of the attributes of the container and at least one of the attributes of the object (de Judicibus @ col. 2, lines 58-59).

It would have been obvious to one of ordinary skill in the art with the teachings of de Judicibus and Kamiya before him to modify the object manager of de Judicibus to include a way to share objects with a community of users that includes replicas for each user and a way to update the replicas as taught by Kamiya, in order to support people's collaborative activities as Kamiya mentions in the Abstract.

Referring to claim 9, de Judicibus never excludes or explicitly states that the objects may be each a URL bookmark of a web site. However, Kamiya teaches that the objects may be each

a URL bookmark of a web site (links, page 3). It would have been obvious to use the object manager of de Judicibus for URLs, because as Kamiya teaches it is advantageous to hierarchically store bookmarks for quick retrieval of web sites of interest.

Referring to claims 11 and 12, since de Judicibus does not teach sharing the objects, he does not show that objects can be categorized as private. However, Kamiya teaches categorizing selected objects as private. See pages 10-11, where Kamiya explains that objects may be read protected, so only one user can see them. He also shows that containers (folders) can be read protected. The objects are encrypted using a user unique key (authentication, page 10). It would have been obvious to one of ordinary skill in the art, with the teachings of de Judicibus and Kamiya before him, to categorize objects as private and assign selected containers (folders) with a private attribute, such that any object so assigned to a private (read protected) container is encrypted using a unique key (authentication, pages 10-11), when adding a way to share objects with a community of users as shown above, because as Kamiya teaches, some users should not have permission to see all of the objects or whole containers that others need to see (i.e. confidential objects).

Referring to claims 15 and 29, modifying the method and system of de Judicibus to include sharing objects as taught by Kamiya teaches sharing objects (shared hotlists, Kamiya @ page 1) among a community of users. Each user is associated with a respective set of attributes such that at least one attribute is common to at least two of the users (i.e. name of object, Kamiya @ page 7, 1<sup>st</sup> paragraph). The system includes at least one server (i.e. web server), communicating through a network (Internet) with users, each being associated with a processor and associated memory and display. The processor, associated memory, and display are

configured to execute the following method. The method comprises executing the following steps for each user in the community:

(a) providing a user replica (more than one user accessing the proxy) that includes objects that are assigned, each, with at least one attribute (de Judicibus @ col. 2, line 40 and col. 4, line 38 and Kamiya @ page1, 1<sup>st</sup> paragraph);

(b) providing a set of containers associated, each with attributes from among the set of attributes (de Judicibus @ col. 2, line 45-49);

(c) providing a user interface for generating an update in the replica (see Kamiya @ page 14, section 4);

(d) submitting the update stipulated in step (c) to the replicas of selected users (see Kamiya @ page 6, section 2.3.1, where objects from one user can be transferred to other users);

(e) receiving at least one update from at least one user in the community and update the user replica with the received update (see Kamiya @ page 7, section 2.3.2 about inflow);

(f) selectively displaying, through a user interface, at least one container (see de Judicibus @ Figs. 4-6), displaying an object from the replica if a condition is met; the condition is applied to at least one of the attributes of the container and at least one of the attributes of the object (de Judicibus @ col. 2, lines 58-59).

It would have been obvious to one of ordinary skill in the art with the teachings of de Judicibus and Kamiya before him to modify the object manager of de Judicibus to include a way to share objects with a community of users that includes replicas for each user and a way to update the replicas as taught by Kamiya, in order to support people's collaborative activities as Kamiya mentions in the Abstract.

Referring to claim 16 and 20, Kamiya teaches that the attributes (i.e. names of objects) associated with each user forms part of the user replica. See Figures 10 and 11.

Referring to claim 17 and 21, the update in Kamiya teaches assigning attributes to the objects (i.e. read protection). See pages 10-11, section 2.4.

Referring to claim 18, Kamiya teaches the update includes updating an object. See page 10, where a user can have write authorization to change the contents of a folder (object).

Referring to claim 19, Kamiya explains that the update can include updating at least one attribute in the set (change attributes, page 3). The folder in which an object is, is an attribute of the object, and a user can post an object to a new folder (add attribute) and move the object (delete attribute of first folder, and change (edit) the attribute). See page 3, last paragraph. An update could also be changing the access control (attribute), which would change the status from Global to Local or Local to Global. See page 9 – 10, section 2.4.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the object manager of de Judicibus to include the sharing techniques of Kamiya, including a user replica, with attributes associated with each user (claims 16 and 20), an update that includes assigning attributes to objects (claims 17 and 21), updating an object (claim 18), and updating an attribute (claim 19), in order to provide an effective means of collaboration as Kamiya teaches.

Referring to claim 22, the interface of de Judicibus includes a tree of containers (Fig. 5).

Art Unit: 2173

Referring to claim 23, in the method of de Judicibus, the object in the container is only displayed if it is not displayed in a sub-container thereof. The purpose of the invention is to reduce the number of objects displayed in a container. See col. 2, lines 23-26.

Referring to claim 24, the tree in de Judicibus is like that of Microsoft File Explorer. The containers are folders. See Fig. 5.

Referring to claim 25, de Judicibus never excludes or explicitly states that the objects may be each a URL bookmark of a web site. However, Kamiya teaches that the objects may be each a URL bookmark of a web site (links, page 3). It would have been obvious to use the object manager of de Judicibus for URLs, because as Kamiya teaches it is advantageous to hierarchically store bookmarks for quick retrieval of web sites of interest.

Referring to claim 26, the method of de Judicibus teaches that each object may be a file. See col. 4, lines 37-38.

Referring to claim 27, at least one of the objects (folders) in the method of de Judicibus contains object-related-data (object type), which is selectively displayed in the user interface. See col. 4, lines 17-22.

### ***Conclusion***

14. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach object managers that include a hierarchical means of classification.

Art Unit: 2173

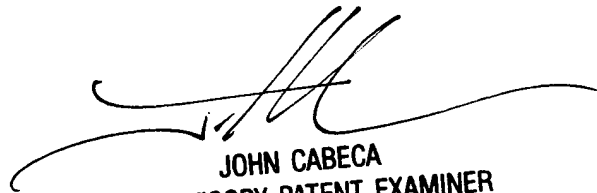
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn M. Becker whose telephone number is 703-305-7756.

The examiner can normally be reached on M-F 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on 703-305-3116. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-745-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

smb  
August 9, 2002



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